IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH OCTOBER 2006 / 5TH KARTHIKA 1928

Bail Appl..No. 6424 of 2006()

CRIME NO.579/2006 OF KOTTIYAM POLICE STATION, KOLLAM DISTRICT
AGAINST THE JUDGEMENT/ORDER IN BA.6093/2006 Dated 16/10/2006

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PETITIONER/7TH ACCUSED

BIJU, S/O.ARJUNAN, AJUBHAVANIL,
NEAR READING ROOM, VENPALAKKARA,
THAZHATHU CHERI, ERAVIPURAM VILLAGE.

BY ADV. SRI.T.A.SHAJI
SMT.T.V.NEEMA

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, (REPRESENTING THE SUB INSPECTOR OF
POLICE, KOTTIYAM POLICE STATION IN KOLLAM
DISTRICT).

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

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B.A. No. 6424 of 2006

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Dated this the 27th day of October, 2006

O R D E R

This is a petition filed under Section 439 of the Code of Criminal Procedure. The petitioner is the seventh accused in Crime No.579/2006 of the Kottiyam Police Station with respect to the offence under Sections 143, 147, 148, 450, 324, 326, 307, 427, 341, 506(ii) and 120B I.P.C., read with Section 149 of the Indian Penal Code and also under Section 27 of the Arms Act, on the allegation that a number of persons armed with weapons barged into the shop room of the de facto complainant, committed riot and attacked the de facto complainant and caused damages.

2. It is submitted by the learned counsel for the petitioner, that the petitioner is in custody since 25/09/2006. It is further submitted that the petitioner is afflicted with chickenpox and he is admitted in a hospital.

3. The application is opposed by the learned Public Prosecutor.

4. In the circumstances and only because the petitioner is suffering from chickenpox, it is ordered that the petitioner shall be released on bail on executing bond for Rs.25,000/- with two solvent

sureties each for the like sum to the satisfaction of the court below. He shall not in any manner interfere with the investigation. The petitioner is directed that he shall report before the Investigating Officer on every Friday at 10 a.m, after he is discharged from the hospital and until the final report is filed.

The bail application is allowed as above.

K.R.UDAYABHANU,
JUDGE

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